

LEWIS BRISBOIS BISGAARD & SMITH LLP

ROGER S. RAPHAEL, SB# 111946

E-Mail: raphael@lbbslaw.com

WILLIAM P. BURANICH, SB# 144650

E-Mail: buranich@lbbslaw.com

One Sansome Street, Suite 1400

San Francisco, California 94104

Telephone: (415) 362-2580

Facsimile: (415) 434-0882

Attorneys for Defendant

FIDELITY CAPITAL FUNDING, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

WASHINGTON MUTUAL BANK, a federal
savings bank, as successor at law to Long Beach
Mortgage Company,

Plaintiff,

v.

FIDELITY CAPITAL FUNDING, INC., a
California corporation

Defendant.

CASE NO. C 08 1407 EMC

Action Filed: March 12, 2008

[PROPOSED] ORDER

GOOD CAUSE APPEARING, IT IS ORDERED that the Court will permit defendant

FIDELITY CAPITAL FUNDING, INC. and its insurance carrier to attend the September 26, 2008

Mediation by telephone.

DATED: 9-10, 2008


MAGISTRATE JUDGE WAYNE D. BRAZIL